# Captain Thorogood

## His Opinion of the Point of

# SUCCESSION,

## To a Brother of the Blade in

# SCOTLAND.

*Dear Jack,*

AS I covet nothing ſo much as to ſee the Exorbitant Power of *France* reduc'd to its ancient bounds; ſo I am ſenſible no Nation upon Earth can ſtop the rapid Courſe of their Victories but Ours, whoſe Valour ſtill fills their hearts with no leſs fear then their late Succeſſes have done with ambition: But I confeſs the conſideration of Ourpreſent unhappy differences makes me dread loſing the opportunity of reſcuing enſlaved *Chriſtendom* from their Tyrany, and Our own Glory from the ſtains of Infamy, contracted by the over-long repoſe of our Arms. This fear I look upon to be well-grounded, ſince no leſs a thing is ſaid to be in agitation then a change in the very Fundamentals of our Government, which like a diſtemper that ſeizes the noble Parts, muſt (after the long ſtruglings and conflicts of the contending parties,) extremely weaken, if not abſolutely deſtroy it, as is evident by the no leſs impious then doleful examples of all Ages; And if that ſhould once happen, (which God in his Mercy prevent,) who would be able to reſiſt the mighty Force of *France*? or what could *England* (which alone, if united, is capable to prevent it,) expect but with the reſt of *Europe*, (and upon harder conditions then any other Nation) be ſwallow'd up in the Univerſal Monarchy? To prevent which, ſince nothing can more effectually contribute then a firm and laſting Union among Our ſelves, which is morally impoſſible to be attained, if once the ancient and fundamental form of Government, under which this Nation has (to its Immortal Renown, and its Enemies Terror,) flouriſhed ſo many Generations, be now aboliſhed. I thought fit in a Soldierly manner, and *en Cavalier*, to ſhew you that the juſt excluſion of His Royal Highneſs from the Imperial Crown of this Realm, (in caſe the King ſhould die without Iſſue) is abſolutely impoſſible; and this I do on no other account, but becauſe I believe it may do my Country good, whoſe Intereſt, as well as Glory, it will be, to have a Prince of Martial Spirit Reign over Us, by whoſe Valour Our almoſt withered *Lawrels* may once more be planted in *French-ground*, moiſten'd and made fat with the Bloud of our implacable Enemies, and nouriſh'd and rear'd up to that Strength and Vigour they formerly enjoyed by the Courage and Conduct of our Anceſtors.

You know it is the common Theme of the Town-Scribblers, that *Monarchy* is a meer Humane Institution, alterable in *Part*, or in the *Whole*, as often as the *Governour* and *Governed* shall think it necessary for their common Safety. That the *King* for the time being is the Supreme *Governour*, and the whole Aggregate of People the *Governed*. That these being not otherwise easily to be assembled, are some personally, and the rest by their Representatives in Parliament. That whatever Law or Sanction, the King, with the advice and consent of his People so conven'd does Enact, binds the whole Nation; and that consequently it is in their Power to exclude His *R. H.* the Succession; or, which is the same thing, to turn the *Hereditary Monarchy* into an *Elective*.

This Position, (how injurious soever to a Successor,) is more dangerous to a Prince Regnant, who if weak, easie, or inconsiderate, may, through hope, or fear, be prevail'd upon to yield to his own dethroning, and exchange his actual Royalty for an Annuity or yearly Pension; whereas the other loses only a possibility of a Crown, with this further advantage, That *most Men will think him worthy of wearing it, because not the want of Courage and Magnanimity, but of Interest and Power creates his Misfortune.* Whatever then shall be said to shew the impracticableness of this Position here in *England*, is as much intended to secure the Possession of His most Sacred Majesty, or any other that shall lawfully fill the Throne, as the possibility which His *R. H.* now has, or any other Heir Apparent may have in after Ages. It is indeed a Royal Cause, and as such to be maintain'd by the Swords and Pens of all good Subjects, of which number I profess my self to be one, and in evidence of my Loyalty say,

1. That since *England* is *de facto* a Hereditary Kingdom, and every King for the time being, with the help of his *Parliaments* entrusted with the Government of it as such; it follows, that as he cannot alien or subject it to another Crown or Person, because the alienation of a Kingdom is so far from being comprehended in the Government of it, by him (to whom first committed) and his Heirs, that it is directly repugnant and inconsistent with it, so he cannot alter the course and order of Succession, which is a kind of alienation, because it transfers the Title to one who (without such an Act) would have none; and consequently any Monarch attempting the Destruction of the very Form and Essence of such a Government, may be thought rather to frustrate in some measure part of the Trust reposed in him, and stray from his Duty, then vitiate his Successors Title to the Kingdom.

2. If both Houses of Parliament should be allowed to have a share in the Government in a co-ordinate manner with the King, then the King and they (having the Supreme Power of Governing a Hereditary Monarchy committed to their Charge, and nothing else,) have no authority to alter or destroy it; because a Power to support and maintain a Government, and change and dissolve it, is absolutely inconsistent with it self.

3. This great trust was reposed in them either by *God* or *Man*; if by *God*, then 'tis certain it cannot warrantably be alter'd without his positive command infallibly known as such; If by *Man*, we are under the disability until his express Will and Pleasure be made known to us, in a plain, evident and indisputable way.

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God has not yet revealed us his Will or Desire to change our Government, nor are we to look for such extraordinary Injunctions at this time, when the light of the Gospel has sufficiently cleared all the Errors and Doubts that might hinder our Duty; And it is an act of equal Folly and Impiety to attempt an Innovation upon the supposition of being able to know certainly and unquestionably the Will of *Man*, since that knowledge will (to any that seriously considers the Constitution of this Kingdom) appear absolutely impossible. For if by *Man* we understand (as we must) the whole Complex of the People, or the *Governed*, we cannot possibly be satisfied of their being after a full and mature deliberation, desirous of a Change, because we have, or at least will use no other way of knowing their minds, but by their *Representatives* in Parliament; and these whom we commonly call *Representatives* are either not so at all; or if they be, do not derive their Power from a third part of the Nation, and consequently cannot impart a knowledge to us, which they themselves never had, or execute an Authority which was never given 'em, according to the old Maxim, *nemo dat quod non habet*; The reason why they may be thought to be no Representatives at all, is, because if the ultimate and last result of Power, such as is doubtless the disposing of the Crown, be in the King and Parliament only, it cannot rationally be said, That the Parliament is the People which is always to be the party Governed; it being as impossible that they should at one and the same time, and in the same respect, be both *Governours* and *Governed*, as it is for me to be *Master* and *Servant*, in regard to my self singly and alone. But to wave this, which may possibly be looked upon as a subtilty or strained Notion; I say that the Parliament as now usually Elected, is not at all the Representative of the People; I mean so as to have such an actual or virtual Deputation or Commission from every individual person, as may enable them to exercise all the Acts relating to Government, as arbitrarily, and without controll; as if all the People were personally present, and consenting to such Acts. For none have Votes in Elections, but *Free-holders* of at least forty Shillings a Year, and *Citizens* and *Burgesses*, and consequently all *Lessees* for Years, *Grantees* of *Annuities* for Years: *Men* that live upon the Interest, and Product of their Money: The greatest part of the *Clergy*, all *Soldiers*, and *Seamen* in general, most of the young *Nobility* and *Gentry*, who besides their possibilities of Remainders, seldom have any thing for their maintenance but their Parents allowances; And in fine, the whole number of *Labourers*, *Servants*, *Artificers*, and *Tradesmen*, not residing in, or at least free of Cities and Boroughs, are totally excluded, and consequently no more represented by the Parliament, then the Attorney you authorized to appear for you this Term in a Suit at *Westminster*, is warranted by the Authority you gave him, to appear likewise for me without my knowledge or privity; And what can be more unequal, not to say unjust, then that a numerous and upon due computation the far greatest part of the Nation, that are Passengers in the great Ship of the Commonwealth, as well as the rest, should be debarred their right of choosing a *Master* or *Pilot*, to whose Skill and Care they commit their common safety? Have they not their *Liberty*, their *Property*, their *Religion*; and in a word, the present enjoyments of this, and in some measure the hopes of a future *Life* to be secured or hazarded by the good or ill Conduct of their *Governour*? And must this, all this be left to the Arbitrary Power and Discretion of such, as by chance, perhaps more then merit, have acquired the Possession of some Land, or are free of Boroughs and Cities? If a Freehold of forty Shillings *per annum*, intitles one to as a great a share of the Legi-

Legiſlative Power, as that of five thouſand Pound does another, what ſhew of Reaſon can there be, why one whoſe Goods and Chattels amount to ten times the value of ſuch a Free-hold, and has peradventure a Stock of Reputation, Honeſty and Wiſdom as many degrees beyond him, ſhould not be equally concern'd in the Government?

But allowing *Free-holders*, *Citizens* and *Burgeſſes*, ſome Myſterious and Sacred *Right*, excluſively of all others, of delegating the Repreſentatives, and irrevocable Attorneys of the whole Kingdom; yet ſurely there ſhould be ſuch a proportion and equality between them, as would render this mighty Power veſted in them, agreeable to Right Reaſon, and the very nature of Government; But we ſee no ſuch thing for the meaneſt Borough; For *Example*, *Old Sarum* deputes as many men to ſerve in Parliament, as the greateſt County in *England*, with equal Authority, not only of conſulting and debating, but likewiſe of giving their determinative and deciſive Voices in all matters and things whatſoever.

*Cornwal* which is the two and fiftieth part of the Kingdom, makes above an eleventh part of the *Houſe of Commons*; and yet *London*, *Southwark*, and *Weſtminſter*, which in the Power of Men and Riches, is judged to be a ſixth of the whole Nation, is in the Repreſentative but the ſixty fourth part. And this Soleciſm alone in the very conſtitution of the Government will make it for ever impoſſible to have the People Repreſented in any juſt and rational manner; unleſs perhaps ſuch courſe might be taken, as is practiced in *Holland*, where each Province ſends as many Deputies as it pleaſes, with power of propoſing and debating, but not of reſolviug by the Votes of the Perſons, but of the Provinces.

It may be here objected that our preſent Conſtitution has appointed no other way for chooſing Repreſentatives; and that therefore we ought to acquieſce: To this I Anſwer, that it may very well fall out, that nothing may be a clearer and greater hinderance to our having a true and evident knowledge of the Peoples Deſires and Inclinations by their Repreſentatives, then our very *Laws*; For *example*, at preſent the *Oaths of Allegiance*, *Supremacy*, and the *Teſt*, are to be taken by all the Members of both Houſes of Parliament; But if in this, or any after-age, almoſt the whole, or the far greater part of the Nation, ſhould become true *Presbyterians*, who abhor our *Royal* as much as the *Papal Supremacy*, or *Quakers* that indeed ſcruple all *Oaths*, or *Papiſts* that cannot well be ſuppos'd willing to renounce the whole ſubſtance of their Religion; could the few, (who by taking ſuch *Oaths*, would then be rendred capable of ſitting in Parliament,) be properly accounted the *Repreſentatives* of a Nation, that could not otherwiſe look upon them, then as men wicked, irreligious, and perjured, and conſequently more forward to heighten then heal their Miſeries; To which end no man can be rationally ſuppoſed to depute another? No ſure, and therefore when *Laws* which are made for the People, (and not the People for the *Laws*) do croſs and thwart the Right and Intereſt of the major part of the Society, they then not being able to effect what they were deſigned for, become uſeleſs, and die.

A further Objection will be, that the conſtant opinion of all Ages has put it beyond doubt, that the Parliament is the Repreſentative of the People; and that all the Acts they paſs, do virtually include the conſent and agreement of every individual perſon in the Kingdom: To this I would very readily agree

agree, provided it would be allowed me on the otherhand, (as appears b all our Law Books,) that *Monarchy* is *Jure naturæ*, and unalterable withou apparent Violence by any Humane Power whatſoever; But if the arrogance or malice of ſome will carry them ſo far as to trample upon all the Poſitive and Fundamental Laws of the Land, and publiſh daily in Print, to the manifeſt hazard of the State, that all Forms or kinds of Government, are changable at the Will and Pleaſure of the People, into that *Species* which ſhall by them be thought the moſt agreeable, to their Natures and Inclinations; I hope it will not be looked upon as a Crime in me, if following the way they chalked out for me, and waving the common received opinion, I likewiſe ſpeculatively pry, into the very Conſtitution and Frame of Parliaments, thereby to ſhew the impoſſibility of altering the *Succeſſion*. But to clear all Objections as far as poſſible, I ſay, That the ſuppoſition, of the Parliaments repreſenting the People, is a fiction of Law, well deviſed by the Wiſdom of our Anceſtors, for quieting and appeaſing the minds of all particular men, who could not have a ſtronger Motive of Submiſſion, or of not believing themſelves injured then their being accounted parties and privy to all Acts of Parliament; But this fiction of Law cannot reach the Actual Legiſlators, as ſuch, ſince they cannot be ſuppoſed to wrong themſelves, though they might thoſe by whom commiſſioned. The Parliament, then when it alters or repeals Laws, lops off the exuberancies and excreſcencies, which by the deſign or heedleſneſs of the Managers, grow up in the Government, curbs the Pride, Avarice and encroachments of great Perſons bounds and limits reciprocally the Princes Prerogative and Subjects Liberty; and in fine lends its healing hand towards the removing any thing that is dangerous or noxious to the Body Politick as firſt conſtituted, then, I ſay, it may well enough for its greater Strength and Authority, be allowed the Repreſentative of the whole Body of the People: But if inſtead of applying fit remedies for its preſervation and continuance, they ſhould go about to annihilate or diſſolve it, which muſt inevitably be attended with violent concuſſions and univerſal calamities, it cannot, as I ſaid before, be accounted their Repreſentative; becauſe the conſequence of ſuch an Act muſt immediately influence every individual Member of the Society; and 'tis but reaſon that the common concernment of the ruine or happineſs of all; ſhould be left, not by fiction of Law, but in reality, to be weighed by their own Judgment: For if (as ſome would have it) the Power of Dominion was originally in the People, and by them transferred on *one*, *few* or *many* of themſelves, 'tis evident that as every one was actually aiding by his choice and agreement in erecting ſuch a Dominion, ſo it's neceſſary he ſhould by the ſame means concur to its change and deſtruction.

If it ſhould be ſaid that our Government was firſt eſtabliſhed not by the Votes of Individuals, but by Repreſentatives in the Nature of Parliaments, as now conſtituted; I Anſwer, that it could not be, becauſe of the inequality of the choice, which is certain was not in the beginning; (for until the 8*th*. year of *Henry* the 6*th*. as is plain by the Statute then made, the Electors of Knights of the Shire were not under a neceſſity of having forty Shillings *per annum* to expend.) or if it was, let our Adverſaries prove when and where it firſt began; if they cannot, but confidently and poſitively affirm it was ſo, and we as confidently and poſitively deny it, then 'tis evident, we being in poſſeſſion, that the advantage will be of our ſide, for *in æquali jure melior eſt conditio poſſidentis*.

4. Having thus far endeavour'd to prove that the Parliament is not the

Repreſentative of the People. I further ſay, That allowing them to be ſo, yet 'tis certain they aſſemble not of themſelves, but by the King's Writ, which ſets forth the occaſion of their being call'd, *viz.* to adviſe and conſult, *&c. De arduis & urgentibus negotiis Regni*, of the great and preſſing Affairs of the Kingdom; Now the Kingdom being Hereditary at the time of iſſuing forth the Writ, and they ſummoned to appear and give their advice concerning the good Eſtate and Defence of it as ſuch, 'tis plain they cannot change, alter or deſtroy it, no more then a Phyſician ſent for, to remove the Pains and Oppreſſions of Sickneſs, can lawfully ſtab or poyſon his Patient, who through rage or folly may yield his aſſent to his own deſtruction. 'Tis ridiculous and fooliſh to think that even the very Country would not with high Indignation reſent ſuch an attempt, ſince they know full well that the Election of Members to conſtitute the Body Politick of a Parliament, was never intended to deſtroy the Head and moſt eſſential part of it, I mean the Hereditary Kingſhip, which abſtractedly from this or that man, who may give an ill Preſident, and therefore is not intruſted with an abſolute diſpoſal of it, is the very Life and Soul of the Government, and without which it muſt infallibly crumble into pieces.

5. We all know that a Body Politick, which is the Work and Creature of Man, has many reſemblances with the Body Natural, which is the Creature of God; for as this aims always at its eaſe, happineſs and long preceptions of the pleaſures of this Life, and conſequently dreads and abhors Death or Diſſolution which puts an end to all, ſo the other is conſtant and unwearied in the purſuit of the like ends to that degree, that by its very conſtitution and eſſential form we attribute to it a kind of Immortality, whence comes the known Maxim received into our Laws, *That the King never dies*, that is, that Kingſhip, not the Perſons to whom it is inherent or annexed for this, or that time, is beyond the reach of Fate and Time that puts an end to all things. This then being ſo, we cannot rationally conclude that our preſent Sovereign has Will or Power to deſtroy himſelf, that is, Hereditary Kingſhip, which made him what he is, and is as eſſential to the Politick Capacity he is in, as Supreme Governour, as the rational Soul is to his natural Capacity, as man: To ſay or judge otherwiſe, would be no leſs, then to put him to break all the ſacred ties of Love which bind him ſo ſtrongly to himſelf, and ſuppoſe him capable to be in ſome meaſure his own Executioner, and a *Felo de ſe* of Monarchy!, then which there can be no greater Indignity offered to the Majeſty of a Prince whom we all know to be Juſt, Merciful and Generous to others; and who therefore muſt ſo much the more ſignally practice thoſe Vertues towards himſelf, by how much ſelf-reſpect exceeds that due to another.

6. And laſtly, 'Tis evident by ſeveral Statutes, that all Knights of the Shires, and their Electors are to be Inhabitants and Reſidents in the reſpective Counties the day of the Writ, and that likewiſe the Citizens and Burgeſſes are to be men reſident, dwelling and free in the Cities and Boroughs for which they are to be choſen; And right reaſon teaches us that none ought by ſiniſter and unjuſt means to [illegible] into Authority, if therefore any one be previouſly diſabled and uncapable to exerciſe Power by a poſitive Law, or openly by deceits, calumnies or corruption thruſt himſelf into the Seat of Juſtice, 'tis certain all his Proceedings and Sanctions do carry a nullity and inſufficiency in themſelves, and affect none, beſides the Maker, who by endeavouring to exerciſe a Legiſlative Power againſt Law and Reaſon, makes his violation of them ſo much the more maniſeſt. This often happens in chooſing of Parliament-

liament-men in our days, when those that live in the *North* are chosen for the *South*, and men that never saw the Cities or Boroughs before the time of Election made their Representatives, with this further addition of disability, that they gain Votes by Bribes, Treats, and many unlawful Artifices, as by loading their Competitors with the most odious calumny of being Courtiers, Pensioners, Papists Atheists, and what not? though they know them to have more love for their Country and their Religion then themselves. I know nothing that can more effectually frustrate the Decrees and Resolves of Law-makers then this, and therefore leave it to impartial and indifferent men to judge whether such a practice, if it should intervene, would not exclude any Society of Men from excluding another from his Right.

Upon the whole matter then the present Monarchy is so founded, that neither the King nor the Parliament can possibly alter the true and essential form of it; and consequently his *K. H.* cannot be barr'd his Right of Reigning over us, if he survive his Brother, whose Life he values beyond the Crowns and Kingdoms he can leave him, whom God long preserve in Peace and Plenty, and the unfeigned affection of his People.

As for the Examples which are alledged to evince the contrary, and urged so confidently by the Gentleman that is the Author of the *Word without Doors* they do not at all scare me, for the Question is not whether *de facto*, but whether without violation of Justice and the Principles of right Reason, our Monarchy may be changed? For no man ever doubted but Power, Rebellion and Faction with the concurrence of timorous and easie Princes did often turn things into Tragical Confusions, and unhinge the whole frame of *Governments*, but far be it from us to ground the lawfulness of our Actions upon so weak a Topick as that of *Example*, since we know that no Crime can be perpetrated, no Usurpation introduced, no Violation offer'd even to Heaven it self, but will be all warrantable, if their being subsequent to a like practice of former Ages frees them from Guilt. Rebellion is as ancient as the Creation, it first divided the Court of Heaven, and deprived *Lucifer* and his Accomplices of their Glory, and then threw Man out of the Garden of *Eden*, and the state of Innocence into a rough tract of the Earth, and yet rougher anguishes and perplexities of Sin. An obedience to God's Command to *encrease and multiply* was not long paid, when of the few Inhabitants of the World, one, and he the most harmless too, fell a Sacrifice to his Brothers envy and makers affection. Idolatry (the *Jews* only excepted) was the common Worship of Mankind, and whatever Species of Christianity was first planted in this Island, 'tis certain that Popery not many Years since was the legal and known Religion universally embrac'd by the People; yet God forbid we should now pretend Rebellion, Murder, Idolatry and Popery to be all lawful because we find ancient times memorable for such impieties. 'Tis no plea in Divinity to alledge the prescription which sin has gain'd upon us, as an excuse.

The alterations successively made in the *Jewish* Commonwealth are nothing pertinent to the matter for whose proof they were brought, for they were either by a previous command or subsequent approbation of God manifested to his Prophets introduced and continued for their respective portions of time, and when we have such visible dispensations of the divine Will imparted to us, we will then be as active in our Obedience and Submission to God as the Authors of such Pamphlets are in their Malice and Disloyalty to their King; but till then we hope no man will expect that, because God who is the Sove-

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reign Author of all Governments, and knows the ways and methods that are most suitable to their happiness, has often changed the form he prescribed to the *Jews*. Therefore we Men, that are possessed with Interest, Passion, and Ambition may do the like upon Motives no ways certain or evident.

His Example of *Don Sancho*, who by the approbation of the three Estates took the Crown which was the right of his Nephews, is no less impertinent to his purpose, for he himself allows in the 4th. page of his Pamphlet, that in *Spain* the next Heir cannot succeed but by the approbation of the Nobility, Bishops and States of the Realm; If so, is not that Kingdom in a manner Elective? and what parity is there between it and ours, where the next Heir is actual King without the Ceremonies of Coronation, or the consent, choice or agreement of any? He is yet more unfortunate in the Case of *Hugo Capetus*, who by the choice (as he says) of the States of *France* invaded the Throne, to the prejudice of *Charles* Duke of *Lorrain* the next Heir; For whereas his Position was in the beginning, That any Government was alterable or ammendable by the mutual consent of the *Governours* and *Governed*, he now very learnedly proves this, by saying that the States alone did exclude *Charles* of *Lorrain*; which surely are not the absolute Governours, at least without the lawful King at the head of 'em, in any Hereditary Government in the World: If they be, an actual Prince may be depos'd with as much Justice as an Heir can be excluded the Succession, and so (for ought we know) his *R. H.* being once removed out of their way, the next attempt will be against His Majesty.

His Story of *William Rufus* and his Brother *Henrie's* successively enjoying the Crown is to as little purpose as his Foreign Examples; for as it is certain that neither of them had any right whilst *Robert* Duke of *Normandy* was living, so their being admitted Kings by the consent of the Realm (that is, I suppose, of a Parliament) gave them no Title at all, by this Gentleman's supposition, who says that in such Cases the Will of the Governours and Governed must concur. The same Answer serves to defeat the pretended Legality of all his other examples, and therefore I leave him to bemoan his Ignorance, or plead Drunkenness (for his Discourse was delivered in a Tavern) as an excuse of his impertinencies. And I hope none of us will be so Unchristian or Impolitick as to think, that because by the Treasons and Conspiracies of ambitious, disloyal and designing Persons, the Crown was now and then transferred from one Family to another we now must do the like, when the occasions of such innovations are perfectly taken away, not only by the conjunction of the White and Red Roses, but likewise by the meeting of the Bloud Royal of the three Kingdoms in the Person of our present Monarch. To attempt this, were to bring all the evils upon the People to which the unsteddy course of Humane Affairs can possibly subject them; For where a gap is once opened to Ambition and snatchings one from another, the most bloudy Commotions imaginable succeed, in which necessity obliging the parties to the practice of promiscuous Violences, Depredations and Slaughters, the People at last wearied with the Cruelties and Calamities of War, and to purchase quiet at any rate, often give up their Liberty to the Conquerour, and make the publick Desolations of their Country its Grave; so terrible an Example of which we had in the late Troubles, that surely none, but such as are Betrayers of the *English* Liberty, or destined for Slavery, will venture the like Transgression the second time.

It will be ſaid, that his *R. H.* has embraced the Papal Religion, which will be as deſtructive to the Temporal and Eternal Well-fare of the whole Kingdom, in caſe he ſhould come to the Crown, as it is to his own Soul, and therefore, to prevent ſo univerſal a miſcheif, it is neceſſary his particular Intereſt ſhould be ſacrificed to the publick. To this I Anſwer,

1. No man ever yet gave any particular convincing inſtance of his being a Papiſt, beſides his not conforming to the Religion now eſtabliſhed by Law, or not taking ſuch Oaths as would make him capable of enjoying all the great Offices of the Kingdom, to which his Birth and Merit without them might juſtly entitle him; But this Non-conformity is agreeable not only to all the Claſſes and Subdiviſions of Proteſtantiſm, but to all the other Forms and Modes of Worſhip in the World, and his unwillingneſs to ſwear, proceeds, for ought we know, rather from a belief that all Oaths are unlawful, as not only many of old Chriſtians, our preſent Quakers, but the moſt refined and ingeniouſly learn'd of all Modern Sects the Socinians, maintain, than that he thinks the matter of thoſe the Law now requires to be Damnable or Heretical, and therefore we may as well ſay that he is a *Preſbyterian*, *Independent*, or *Quaker*, or *Socinian*; or, which is yet worſe, a *Turk* or *Jew*, as that he is a *Papiſt*: and to ſpeak Truth our too much curioſity, and ſtrict ſcrutiny into this matter, is far leſs warrantable than his concealing his opinion; for *Who art thou that judgeſt another Man's Servant? To his own Maſter he ſtandeth or falleth; yea he ſhall be holden up, for God is able to make him ſtand.*

*Therefore judge nothing before the time, until the Lord come, who both will bring to light the hidden things of Darkneſs, and will make manifeſt the Counſels of the hearts.*

2. If he be a *Papiſt* now, who can tell but the powerful operations of the Holy Spirit may by changing his Sentiments concerning Sacred things remove thoſe jealouſies and fears with which we are now ſo ſtrongly poſſeſt, and add to his future happineſs the temporal bleſſings we ſo much dread to loſe? Faith is the Gift of God, and he being moſt juſt and merciful, will we hope beſtow it where it may have the kindeſt reception, and bring forth its Fruits in greateſt Plenty, that is on a Prince whoſe natural Endowments and moral Vertues are ſo eminent as, (if enliven'd by true Faith as we hope they are) to enable him when a King to conquer the Atheiſm, Irreligion, Debauchery and other ſwarms of Evils, with which the Age abounds, by his Example, as well as the Enemies of the Crown by his Valour; 'Tis our Duty then to wait the leiſure of Providence, and not by a raſh, not to ſay a wicked attempt, endeavour to deprive him of his right, and our ſelves of the happineſs his enjoying the Religion, as well as the Kingdom, of his Anceſtors, may poſſibly ſecure unto us; nor do I ſee any ſatisfactory reaſon, why he ſhould be ſo ſeverely uſed, allowing no hopes of his Converſion or Return to the Church of *England*, for our Religion is ſufficiently guarded by ſeveral Acts of Parliament, which he can never repeal; And beſides, His preſent Majeſty is (thank God) Strong, Active, and Vigorous, and likely enough either to out-live his *R. H.* or leave him ſo old and crazy as to want briſkneſs anſwerable to his zeal, to attempt any notable change or innovation in the Government.

3. *Popery* in the ſingle Perſon of the Prince, whatever is ſaid to the contra-

ry, is consistent enough with the Welfare of the Subjects, though of another Perswasion, as appears in *Germany*, where in many Places the Body of the People are of the Reformed, and the Prince of the *Romish* Religion, without diffidence or fear, or the narrow Spirit of Persecution of either side.

4. By the Principles of the Church of *England*, no Prince can be depos'd, or forfeit his Right to the Sovereignty, purely upon the score of Religion; and as long as that Church is in being, and the rule and management, next after the King, of all things as well Spiritual as Temporal, is by the Laws of the Land in its hands, and the hands of such as are Members of it, and obedient Children to the Practice and Discipline of so pious and charitable a Mother, 'tis evident that none else can be proper Judges, or have cognizance of the point now in debate, but they; and therefore his *R. H.* appeals to them, and is not at all concern'd at what others can do, who doubtless have as great a desire to dethrone the King as to bar the Succession, could it be done with as much security and safety; For as he who intentionally and deliberately would destroy an Infant in the Mothers Womb, by causing an abortion, would never scruple the bringing of him to an untimely end after his coming into the World, did not the Law appoint Death for the Punishment of this, though not of the other. So he, that on the account of Religion, would exclude another from the possibility he has to a Crown, would make no conscience of discharging an actual Prince, from his Royal Function, upon the same or other motives, were not his possession fenced and guarded by the Law, which makes all such attempts High-Treason, and so exposes him to all the evils attending so great a Crime.

But after all, why so much rancor, hatred and aversion against his *R. H:* who of all men living is the most passionate Lover of his Country, and under whom, if ever it should be his lot to wear the Imperial Crown, it would undoubtedly be as happy as under any that swayed the *English* Scepter since the Conqueſt; having so many Princley Qualities, though now clouded and kept conceal'd from the eyes of the Nation, by the artifice of his Adversaries, as would fill the hearts of all true *English*-men with Love and Respect, and those of his Enemies, whether Domestick or Foreign, with Fear and Confusion; For he is a Prince of a Noble Presence and affable Behaviour, with a mixture of pleasantness in his Words and Actions, that wins powerfully the affections of all that approach him. His discourses are always pertinent and solid, free from Flourishes and a vain and empty Ostentation of Wit, which sorts better with the levity of mimical Heroes, upon a Theatre, then the true Grandeur of real Princes in a Court.

He is of a most high Spirit, and invincible Courage, of mature Wisdom, and singular Industry and Application to business, wary in Council and quick in Execution; He hates above all things a perpetual fluctuation and unsteddiness in the Measures and Politicks of Government, because it makes it a Riddle to it self as well as to all other Nations, and forces it to wander and stray from the proposed Ends, having no clue of reason to guide it through so many Labyrinths of Confusions, and therefore is constant and inflexible in his Resolutions, whilst suitable to the true Interest of the Nation, which often created him great and dangerous Enemies, every one hoping in the uncertainty and variety of Councils to be able to get the Ministry into his own hands, and therefore looking upon him with an Eye of Envy, as the hinderance and main obstacle of their ambitious purposes.

He

He is true and firm to his Friends and Servants, whom not chance or fortune, but parts and merit, with a long and unſtain'd reputation of Honeſty, places in his Favour; and as his love is not to the Perſons, but their Vertues, ſo his hatred extends only to their Vices, and ends as ſoon as they begin to give any viſible ſigns of their Repentance; and whatever is ſaid to the contrary by ſome of his Enemies, who would ſcare the reſt, and harden them in their wickedneſs, by putting them into a deſpair of forgiveneſs, he is not of a vindicative Spirit, for none ever yet fell otherwiſe then gently by his means, or ſmarted any longer under his indignation, then they continued obſtinate and wilful in the purſuit of his and the Countries diſquiet, as might be proved by a thouſand inſtances too tedious to be here recounted. In ſhort, he is of a Martial and Souldierly Temper, patient of cold, heat, hunger, thirſt and all the toyls and fatigues naturally incident to War either by Sea or Land; his Valour is ſprightly, but not raſh; his Conduct wary and ſecure, and the events of his Battels and Engagements ſtill Fortunate and Succesful, all which would certainly make the *Engliſh* Nation (for whoſe Genius Providence has fitted him) readier to ſhed their Bloud to acquire him new Crowns, then deprive him of thoſe Nature has already entitled him to, after the Death of his Brother, had not the inveterate malice of ſome reſtleſs and Factious Spirits poſſeſs'd them with an opinion of his having deſigned for ſo many years to involve them in Bloud and Slaughter; the falſhood of which will eaſily appear, to any that conſider his actions all along ſince his and the King's Return from their Exile, to which ſuch Practices as are now a foot drove them.

I.

AS it is doubtful whether he renounced the Religion, wherein he was Educated, and embraced *Popery* more then *Socinianiſm*, or any other form of Chriſtianity diſtinct from the National Worſhip; ſo it is certain, that he always adhered to the True Intereſt of *England*: I mean the Glory and Preſervation of the *Monarchy*, which His Royal Father conſigned to his Poſterity, Sealed with his Blood, ſhed by Men out-doing in Practice (though not in Principles,) the *Modern Reformers*.

II.

He hath made it his Buſineſs to free his Majeſties Subjects from their Fatal Longings after a *Commonwealth*, to which the Contagion of the late Times had Enſlaved them; And by his Addreſſes, Sollicitations, and Preferments, with which he was able (when in Power) to Reward ſuch brave Souls as ſignaliz'd their Loyalty to his Father or Brother in the Diſorder of their Affairs; He hath brought that Virtue in faſhion again, and made more Converts to the Royal Authority, than all the Orthodox Clergy with their Preachings and Arguments, (how Learnedly and Induſtriouſly ſoever handled,) were able to do.

*Quis enim Virtutem amplectitur ipſam, Præmia ſi tollas?*———

The Truth of this will appear eaſily to any, that will take the trouble to conſider, how notably the Reverence due to Majeſty is impair'd, and how Univerſally the *Anti-monarchical Principles* are ſpread within theſe Seven or Eight Years, ſince upon the miſconceiv'd Jealouſies of the People, He declin'd the Influence He had upon the State, by his Great Imployments.

III.

III.

Through the Power, which his Fidelity and Ability gave him over the King, He hath procured the chiefeſt Places of Strength in the Nation; And moſt of the great Truſts, as well Civil and Religious, as Military, to be conferr'd upon known Royaliſts, and ſworn Enemies to ſuch, as under the ſpecious pretence of ſecuring our Liberties, would again involve Us in the ſame Calamities, from which, Providence hath ſo lately Deliver'd Us.

IV.

He hath been by his Advice and Influence over the great Miniſters the Principal Oppoſer of all the *French Agents*, who in ſubſervience to Their Intereſt, were often tampering for promoting of an *Arbitrary Government*, and of making the Kings Intereſt both diſtinct from, and oppoſite to that of his People: And this He hath done in Obedience to the *Fundamental Laws*, for which he always teſtifyed a great Veneration, and to prevent the ill Effects conſtantly attending ſuch Pernicious Councels: For He well knew from the Hiſtory of ſome of his Progenitors, that an Attempt to remove the *Antient Boundaries and Land-marks of Government, never miſſes opening a way of Diſcord and Confuſion; Of which, Ambitious Men taking Advantage, by their wheedling Practices, often perſwade the* People *that are Heady, Valiant, and Jealous of their Liberty, to run into Rebellion; which as it generally terminates in the Ruine of the* Prince, *or* Subject, *ſo it often Enſlaves both to the Power of a* Foreign Enemy; *For which Reaſon He always held the Conſtitution of the Kingdom as Sacred and Inviolable, in reference to the People, as He now does in regard of his own Right.*

V.

It was This *Active and Vigilant Prince*, that (poſſeſs'd with Flames of Love towards the City of *LONDON*, as violent as thoſe that reduc'd it to Aſhes,) expoſed his Perſon to a Thouſand Dangers, to Reſcue it from Deſtruction. He buſied thoſe Hands (deſtin'd for *Managing of Scepters*) in Breaking open Pipes and Conduits for Water, reach'd Buckets as nimbly as any of the Common People; clear'd the Streets from the Throngs and Crouds, that hindred the carrying away of their Goods, Appointed his *Servants* and *Guards* to Conduct them to ſecure places: And in fine, for ſeveral Nights and Days, (without Sleep, or reſt from Labour,) was ſeen in all parts, giving the neceſſary Orders for preventing the further ſpreading of the Conflagration, as if Love (which uſually works Miracles,) had Multiply'd him, or rather given him a kind of Ubiquity. And this He did, partly to ſhew his Gratitude to his Beloved *Londoners*, whoſe Minion He was, but chiefly to ſave the *Magazine* of the Strength and Treaſure of the Kingdom from Deſolation and Ruine.

VI. Whatever

VI.

Whatever is ſaid of his Inclination to *Popery*, or the Humour of the *French Nation*, 'tis Evident, He underſtands, and purſues the Intereſt of *England* ſo well, that to check the Torrent of their Victories, by creating them work at home, he forwarded (as much as poſſibly he could) an Alliance, which *Monſieur Rohux*, a *French* Gentleman propos'd to His Majeſty for the Securing of *Foreign Proteſtants*; And it had in all probability come to a very happy Iſſue, had not *Monſieur Rovigny Leiger*, Embaſſador from *France* at this Court, prevented it, by corrupting one *Monſieur de Verax*, That after the Inſurrection in the *Vivarets*, fled hither, and rid ſome time in the Guards; who (through Neceſſity, or Frailty,) made Sale of the whole Secret, (and with It, of the Safety of his Friend, and the *Proteſtant Religion* in *France*,) for Two Hundred *Piſtols*. Upon notice of which Treachery, *Monſieur Rohux* retired into *Switzerland*, where being Seiz'd by a Party of *French Horſe*, he was convey'd to the *Baſtile*; and after ſome times Impriſonment, broken upon the Wheel at the place of Execution.

VII.

It was againſt his Will that the firſt and laſt *Dutch* Wars were commenced, yet the reſolution being taken, by thoſe, whoſe Will is a Law, in ſheathing, or unſheathing the Sword of the Subjects, he valiantly, and for the Glory of the *Engliſh* Nation, in the *Firſt*, with many Thouſands of their Souldiers and Seamen, ſunk a great part of their Fleet, blew up their Admiral, and with him the very Reputation of their Naval Power, thought before Invincible, and by Sacking of *Scheveling* made proud *Amſterdam* tremble, for which great Services, as *England* ſhall ever be indebted, ſo the Parliament, then ſitting, was pleas'd to vote him 100000 *l.* as a ſmall acknowledgement of his Merit, and their Affections; and *London*, and all other Places, entertain'd him with Acclamations of Joy. Thus you ſee the viciſſitude of Humane Affairs, and how Fortune, which then opened the Hearts and Cities of the Kingdom, for his Reception, now ſhuts them, and all the Avenues to the Crown againſt him, which may ſerve as an Example to *Perkin Warbeck*, who never did any thing to recommend him, beſides the effect of Chance, his being a Protſtant, how little reaſon he has to rely upon the Affectious of a Multitude, that ſo eaſily forgets the real worth of their Darling Prince.——Nor did he leſs deſerve the hatred of his Enemy, and love of his Country in the laſt War, in which, though with the many notable Diſadvantages of the Wind and Tyde, being at Anchor when ſet upon, and the ſucceeding Miſt, he yet behav'd himſelf with that Gallantry, as made *De Ruiter* own us to be Invincible, and more than men, and particularly, that His *R. H.* exceeded all the Admirals in *Chriſtendom*, as much by his Bravery, as he did by his Birth. having, in

the heat of the Engagement, (when Re-fitting, would loſe the Benefit of his Orders, and Action,) changed Ships oftener than Great Generals at Land, have done their Horſes.

VIII.

It was this Zealous Prince, for the Honour and Safety (of *England*, that adviſed the forming of the *Triple League*, which was the wiſeſt Conjunction, and moſt for the Glory of the King's Reign, and the Preſervation of His Dominions, that ever he entred into. And this he did, not only to curb *France*, whoſe Power he ſaw was already over-grown, but to ſave all the weaker Parts of *Chriſtendom* from the Attempts of the ſtronger; For he knew that while that *League* continued firm, the King of *Sweden*, and the *States* of *Holland*, would have conſtrued all Deſigns upon us in *England*. as done againſt thoſe of the ſame Intereſt with themſelves, and in favour of whoſe Security, they had entred into that *Alliance*.

IX.

He was ſo great a *Stranger* to the breaking of the *Triple League*, and ſeizing the *Dutch Smyrna* Fleet, that Sir *Edward Sprag*, who was known to be his Creature, was not thought fit to be entruſted with the Secret, which occaſion'd the *Miſcarriage* of the Deſign, and the Eternal Glory of his Highneſs.

X.

He hath not only mantained Correſpondence with Foreign Princes, by His Majeſties *approbation*, for ſecuring the well-fare of the Nation, but likewiſe endeavour'd to draw them into an *Alliance* with us, to oppoſe the *French* particularly, or any other Foreign Enemy, that by Counſel, or Action, would endeavour the overthrow of our *Legal Government*. And beſides many evidences of this, which are needleſs to mention at preſent, the ſecret Counſel, which, by His Majeſties Conſent, he gave to our ſeveral *Ambaſſadors* abroad, and are yet to be ſeen, together with the many Letters he wrote to the ſame purpoſe, do uncontrollably demonſtrate it.

XI.

It was He, that when the late Expedition into *Flanders*, was thought really Deſigned againſt the *French*, put all his Equipage into a readineſs, and vow'd to retrieve the Reputation of *England*, by Death, or Conqueſt. But a *Great Man*, then at the Helm, (now for his many Villanies confin'd to the Hold,) thought fit by his *Advice* to make a *Mock-General*, for a *Mock-Army*, not daring to put ſuch a great Indignity upon any, that had Senſe to underſtand, or Courage to revenge it, which occaſion'd that Impoſition of Peace, under which all the *States* of *Chriſtendom* do, more or leſs, feel the heavy preſſures

of

of the *French* Inſolence, whereas, had not that Mercenary Lord put a ſtop to the Parliaments Proceedings, and the Duke's Reſolutions, *Europe* had in a few years been reſtored to its Tranquility.

XII.

He was ſo far from conſenting to, or co-operating in any part of the *Popiſh Plot*, that *Oats* and *Bedlow*, (the two Poles on which the whole Frame of it has its motion and circumgyration) did ſolemnly clear him, as appears by their ſeveral *Depoſitions*, and the *Journals* of both Houſes of *Parliament*.

XIII.

It was the *Duke*, who, when Father *Bedingfield* brought him the *Treaſonable Letters* concerning the *P L O T*, immediately ſhew'd them to the King, that ſo the *Conſpirators* and their *Papers* might be ſeiz'd, and the Truth ſifted to the Bottom.

XIV.

It is he, who this Summer, at *Windſor*, facilitated the *Treaty* of *Alliance*, made between This and The Crown of *Spain*, for the Common Security of both Nations, againſt all Enemies whatſoever, and to the unſpeakable Advantage of our Merchants in that Country, and all other parts of the *Spaniſh* Dominions.

XV.

The incredible Expences of the Crown having drain'd His Majeſties *Exchequer*, to that degree, that he wanted Money for defraying the *Vaſt Charges*, of *Maintaining* and *Defending Tangier*, his *R. H.* rather then ſo Imporrant a Place, for the Trade of the *Streights*, ſhould fall into the hands of the *Moors*, and, perhaps, by them be deliver'd up to worſe Enemies, generouſly disburs'd a very conſiderable Sum of Money, for its Preſervation; and by that Action ſhewed how ſollicitous he is about the Well-fare of *England*, even at the very time, when it contrives his Deſtruction, which is an infallible Evidence of his being in his Nature and Principles very averſe from Animoſity and Revenge. To which his Enemies have reported him ſo addicted, that in the opinion of many, he is accounted irreconcilable; whereas he is ſo much of a contrary temper, that as he equals *Cæſar* in his Greatneſs of Mind, and firmneſs of Reſolution; ſo he out-does him in the particular Character of *Remembring all things but Injuries*. Chriſtianity has made him ſo unalterable in this Point; that as Thouſands of Examples do manifeſt his Sincerity in it, ſo his common and conſtant ſaying, *viz.* that *as he never forgets good turns, ſo he can eaſily forgive bad ones*, is an invincible proof of his Inclination. He needs no *Cicero* to plead the Cauſe of the Guilty, or heap upon him extravagant Praiſes for his Mercy to his Enemies in Diſtreſs; His own

*Genius*

*Genius* leads him to the practice of that Gallantry, without the Interceſſion or Flattery of others. *Marcus Marcellus* was not with more readineſs and affection received into *Cæſars* Favours, than all Adverſaries may be into his, upon quitting thoſe Crimes, for which he is now Vogu'd inexorable; And, were it his Fortune to have the full knowledge of this particular Virtue ſpread as far as the Effects have reach'd, I am confident it would be impoſſible for the Malice of a few, to impoſe upon others, ſo, as to make them continue their violent Actions againſt him, and think that their Security, (which is really their Hazard) inſtead of Repenting, to go on to greater Ills upon ſo groundleſs and malicious a ſuppoſition.

Laſtly, as he believes that none deſerves to have Obedience paid to him, when a King, that is Unruly and Refractory to his Princes Command when a Subject, ſo he is ſubmiſſive to His Majeſties Pleaſure, even beyond the Preſcript of Law, having now the third time, with the manifeſt hazard of his Perſon, beſides the difficulties and inconveniencies of travelling, quitted his Native Country, upon the firſt notice of his Commands.

Thus you ſee what a Prince *England* is weary of, aud that as a weak and diſeas'd Stomack, nauſeates even the beſt Reſtorative, ſo our Nation in the Confuſions and Diſtractions the fear of loſing its Liberty has put it into, dreads none ſo much as him, who of all men living, if a King, would be the moſt able and willing to Defend them. But I hope *Scotland* underſtands his Merit, and its own Intereſt better, and will ſecure him that Ancient Throne, whoſe Splendor is much abated, ſince that Kingdom is, by the Abſence of their Kings, in a manner become a Province; if he fills it once with an excluſion from ours, it will ſoon regain its firſt Luſtre, and your name will be as glorious, as ours will be deteſtable to Poſterity: But however, as I would not have the happy Union of the two Kingdoms diſſolv'd, ſo I hope that either our Repentance will recal him, or that, *Alexander* like, his own victorious Sword, will in time cut this Gordian Knot of the Succeſſion, and Eſtabliſh him in his Right: To which, as I doubt not but you will be aſſiſting, ſo you need not queſtion the help of all Loyal men here, and particularly of

Your Humble

*Jan.* 3. 1679.

Servant

*B. T.*

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